

Entered - 02/13/03 - sb  
CL03L0117 - DIANNE C. MITCHELL

03-R-1038

CLAIM OF: ZURICH AMERICAN INSURANCE COMPANY AS  
SUBROGEE OF HOLDER CORPORATION  
P. O. Box 66944  
Chicago, Illinois 60666-0944

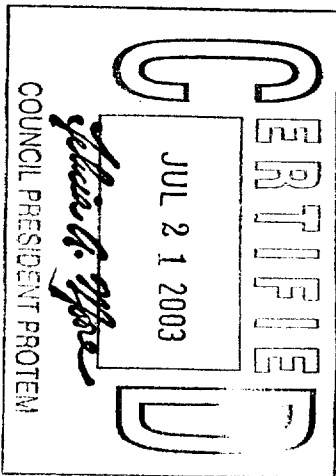
ADOPTED BY  
JUL 21 2003  
COUNCIL

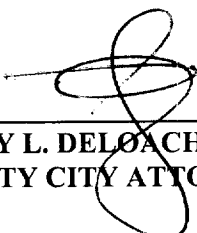
For damages alleged to have been sustained as a result of a vehicular accident on November 3, 2002 at 745 Hansel Street, SE.

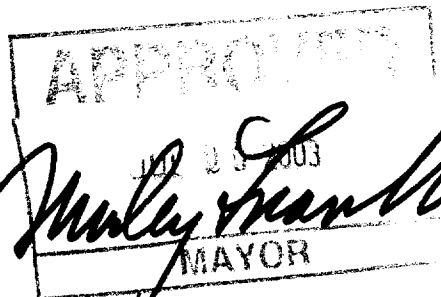
BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to ZURICH AMERICAN INSURANCE COMPANY AS SUBROGEE OF HOLDER CORPORATION the sum of \$2,000.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on November 3, 2002 at 745 Hansel Street, SE as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: LINDA K. DISANTIS  
CITY ATTORNEY



BY:   
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY



## FAVORABLE REPORT

COMM: Public Safety

DATE: 7/15/03

CHAIR: [Signature]

[Signature]

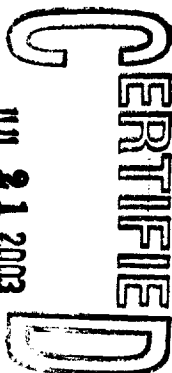
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DEPUTY MUNICIPAL CLERK



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**03-R-1038**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Zurich American Insurance Company as subrogee of Holder Corporation** in the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a vehicular accident on November 03, 2002 at 745 Hansel Street, SE as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy

  
Deputy Clerk

**ADOPTED by the Council  
APPROVED by the Mayor**

**JULY 21, 2003  
JULY 29, 2003**

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 03L0117

Date: June 26, 2003

Claimant /Victim ZURICH AMERICAN INSURANCE COMPANY AS SUBROGEE  
OF HOLDER CORPORATION

BY: (Atty) \_\_\_\_\_

Address: P. O. Box 66944, Chicago, Illinois 60666-0944

Subrogation: X Claim for Property damage \$ 2,389.77 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 02/13/03 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 11/03/02 Place: 745 Hansel Street, SE

Department Fire Division: \_\_\_\_\_

Employee involved Delante A. Quarterman Disciplinary Action: Letter of Counseling

NATURE OF CLAIM: The driver of the City vehicle misjudged his clearance and struck the claimant's parked vehicle causing damages in the above amount.

**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures X Diagrams \_\_\_\_\_ Reports: Police X Dept Report X Other \_\_\_\_\_

Traffic citations issued: City Driver X Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial \_\_\_\_\_

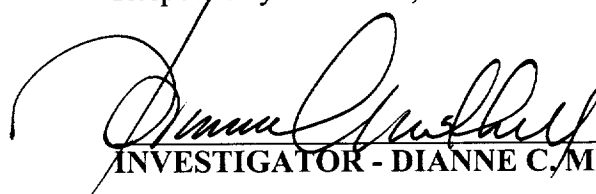
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

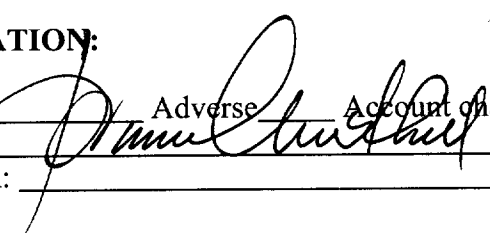
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

**RECOMMENDATION:**

Pay \$ 2,000.00 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_ 2P01 \_\_\_\_\_

Claims Manager:  Concur/date 06-27-03

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 4940  
7/21/03  
6:41 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS. 1-11, EXCEPT:03-O-1034  
03-R-1110, 03-R-1137, 03-O-1116  
ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 1  
ABSENT 1

|           |             |           |            |
|-----------|-------------|-----------|------------|
| Y Smith   | Y Archibong | Y Moore   | Y Mitchell |
| E Starnes | Y Fauver    | NV Martin | Y Norwood  |
| Y Young   | Y Shook     | Y Maddox  | Y Willis   |
| Y Winslow | Y Muller    | Y Boazman | B Woolard  |

CONSENT I

|  |   | 7/21/03 Full Council Meeting  |
|--|---|---|
| ITEMS ADOPTED<br>ON CONSENT  | ITEMS ADVERSED<br>ON CONSENT  | ITEMS ADVERSED<br>ON CONSENT  |
| 1. 02-O-1259<br>2. 03-O-0148<br>3. 03-O-0826<br>4. 03-O-1114<br>5. 03-O-1122<br>6. 03-O-0939<br>7. 03-O-0974<br>8. 03-O-1120<br>9. 03-O-0964<br>10. 03-O-1115<br>11. 03-O-1117<br>12. 03-R-0896<br>13. 03-R-1103<br>14. 03-R-1126<br>15. 03-R-1136<br>16. 03-R-1124<br>17. 03-R-1102<br>18. 03-R-1129<br>19. 03-R-1135<br>20. 03-R-1088<br>21. 03-R-1104<br>22. 03-R-1111<br>23. 03-R-1036<br>24. 03-R-1037<br>25. 03-R-1038 | 26. 03-R-1039<br>27. 03-R-1040<br>28. 03-R-1041<br>29. 03-R-1042<br>30. 03-R-1043<br>31. 03-R-1044<br>32. 03-R-1045<br>33. 03-R-1046<br>34. 03-R-1047<br>35. 03-R-1048<br>36. 03-R-1049<br>37. 03-R-1050<br>38. 03-R-1051<br>39. 03-R-1052<br>40. 03-R-1053<br>41. 03-R-1054<br>42. 03-R-1055<br>43. 03-R-1056<br>44. 03-R-1057<br>45. 03-R-1058<br>46. 03-R-1059<br>47. 03-R-1060<br>48. 03-R-1061<br>49. 03-R-1062<br>50. 03-R-1063 | 51. 03-R-1064<br>52. 03-R-1065<br>53. 03-R-1066<br>54. 03-R-1067<br>55. 03-R-1068<br>56. 03-R-1069<br>57. 03-R-1070<br>58. 03-R-1071<br>59. 03-R-1072<br>60. 03-R-1073<br>61. 03-R-1074 |

Consent I Vote: 13 Yeas; 0Nays: (See RCS #4940)

Items Removed from the Consent Agenda: 03-O-1034; 03-O-1116; 03-R-1110; 03-R-1137;